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October 10, 2006.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

: 10/729,622

Applicant

: Mark E. Deem, Douglas S. Sutton, Hanson S. Gifford III, Bernard

H. Andreas, Ronald G. French

Filed

: December 5, 2003

Art Unit

3734

Examiner

: Michael T. Andersen

Title

OBESITY TREATMENT TOOLS AND METHODS

Docket No.:

: SATTY 69233

Customer No.

24201

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

The documents listed on the enclosed Form PTO/SB/08a have come to the attention of Applicants and are submitted to the Office under 37 C.F.R. § 1.97(c) (2). A & copy of each of the listed foreign documents and articles is enclosed.

10/16/2006 WABDELRI 00000045 10729622

The petition fee set forth in 37 C.F.R. § 1.17(p) of \$180 is enclosed. Please charge any deficiency in fees or credit any overpayment to our Deposit Account No. 06-2425. A duplicate copy of this letter is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

Bv:

Douglas R. Peterson

Registration No. 53,458

Howard Hughes Center 6060 Center Drive, Tenth Floor Los Angeles, CA 90045

Telephone: (310) 824-5555 Facsimile: (310) 824-9696

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2. Complete if Known Substitute for form 1449A/PTO 10/729,622 Application Number Filing Date December 5, 2003 INFORMATION DISCLOSURE First Named Inventor Deem et al. STATEMENT BY APPLICANT Art Unit 3734 Michael T. Andersen **Examiner Name** (use as many sheets as necessary) Attorney Docket Number SATTY-69233 Sheet of 20 U.S. PATENT DOCUMENTS Pages, Columns, Lines, Where Name of Patentee or Document Number Examiner Cite **Publication Date** Applicant of Cited Kind Code² Relevant Passages or Relevant Number No MM-DD-YYYY Initials* Document Figures Appear (if known) 5,816,471 10-06-1998 Plyley et al. 5,820,584 10-13-1998 Crabb 5,833,690 11-10-1998 Yates et al. Borst et al. 11-17-1998 5,836,311 11-24-1998 5,839,639 Sauer et al. 01-19-1999 Robertson et al. 5,860,581 01-19-1999 Godin 5,861,036 5,868,760 02-09-1999 McGuckin, Jr. 5,876,448 03-02-1999 Thompson et al. 5,888,196 03-20-1999 Bonutti 5,904,147 05-18-1999 Conlan et al. 5,906,625 05-25-1999 Bito et al. 06-18-1999 Kuzmak 5,910,149 5,921,993 07-13-1999 Yoon 5,927,284 07-27-1999 Rorst et al. FOREIGN PATENT DOCUMENTS Pages, Columns, Lines Foreign Patent Document Publication Date Name of Patentee or Applicant Where Relevant Examiner Cite T^6 Initials* Kind³ MM-DD-YYYY of Cited Document Passages or Relevant Office3 Number4 Figures Appear (if known) 63302863 12-09-1988 Olympus Optical Co Ltd JP Α 01049572 02-27-1989 Olympus Optical Co Ltd JP Α 10-21-1992 Norikazu Hattori ΙP 04297219 Date Examiner

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Complete if Known Substitute for form 1449A/PTO Application Number 10/729,622 December 5, 2003 Filing Date INFORMATION DISCLOSURE First Named Inventor Deem et al. STATEMENT BY APPLICANT 3734 Art Unit Examiner Name Michael T. Andersen (use as many sheets as necessary) of 20 SATTY-69233 Attorney Docket Number Sheet 11 U.S. PATENT DOCUMENTS Pages, Columns, Lines, Where Name of Patentee or Document Number **Publication Date** Examiner Cite Relevant Passages or Relevant Number Kind Code Applicant of Cited Initials* MM-DD-YYYY Document Figures Appear (if known) 6,663,639 B1 12-16-2003 Laufer et al. 6,663,640 B2 12-16-2003 Kortenbach 01-13-2004 Stack et al. 6,675,809 B2 01-27-2004 6,682,520 B2 Ingenito 02-10-2004 Mesallum 6,689,062 B1 02-17-2004 Brock et al. 6,692,485 B1 04-06-2004 McAlister et al. 6,716,222 B2 6,733,512 B2 05-11-2004 McGhan 05-18-2004 McClellan et al. 6,736,822 B2 6,740,098 B2 05-25-2004 Abrams et al. 05-25-2004 Geitz 6,740,121 B2 06-08-2004 Dua et al. 6,746,489 B2 06-22-2004 Swoyer et al. 6,754,536 B2 06-29-2004 Gowda et al. 6,755,849 B1 06-29-2004 Geitz 6,755,869 B2 Barbier et al. 06-29-2004 6,756,364 B2 07-20-2004 Godin 6,764,518 B2 08-10-2004 Gannoe et al. 6,773,440 B2 6,786,898 09-07-2004 Guenst 6,790,214 B2 09-14-2004 Kraemer et al. Silverman et al. 10-12-2004 6,802,868 B2 11-23-2004 Laufer et al. 6,821,285 B2 McGuckin, Jr. et al. 12-28-2004 6,835,199 B2 FOREIGN PATENT DOCUMENTS Name of Patentee or Pages, Columns, Lines Foreign Patent Document **Publication Date** Examiner Cite T^6 Applicant of Cited Where Relevant Passages Kind⁵ MM-DD-YYYY Initials* Document or Relevant Figures Appear Office3 Number⁴ (if known) Date Examiner

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